

Express Mail Label No.: EV328703475US
Date of Deposit: August 25, 2003

Attorney Docket N . 26448-510 CON



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Egan et al.

SERIAL NUMBER : 10/037,447

FILING DATE : December 31, 2001

FOR : METHODS FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS ID

EXAMINER : Cybille Delacroix-Muirheid

ART UNIT : 1614

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In response to the Restriction and Species Election Requirement mailed on May 23, 2003, Applicants elect Group I, claims 1-7 and 9 (renumbered), drawn to a compound and pharmaceutical compositions thereof, classified in class 548, subclass 215+, with traverse.

With respect to the Examiner's species election in paragraph 4, Applicants are unclear as to whether it applies only to method claims 8 and 10 (renumbered) or also to the compound and pharmaceutical composition claims 1-7 and 9 (renumbered). Applicants respectfully request clarification.

Should the species election apply to the elected claims of Group I, Applicants provisionally elect the following species: the compound of Formula II wherein R1 and R2 are hydrogen.

Applicants respectfully traverse the requirement and note that the election of species is made for the purpose of examination of the claims only and that applicants maintain the right to have the full scope of the claims, as written, examined on the merits.

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A response is due on Monday, August 25, 2003, with two-month extension. A check in the amount of \$205.00 is enclosed to cover the petition fee for a two-month extension of time pursuant to 37 C.F.R. § 1.17(a)(2). Please charge any additional fees that may be due to Deposit Account No. 50-0311; Attorney Reference No. 26448-510 CON (Customer Number: 30623).

Respectfully submitted,

Matthew Parnas Reg. No. 50,572
by:

Ivor R. Elrifi, Reg. No. 39,529
Matthew J. Golden, Reg. No. 35,161
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Dated: August 25, 2003

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TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Response to Restriction and Species Election Requirement (2 pages);
- ☒ A copy of Revocation by Assignee and New Power of Attorney and attached Schedule A filed August 25, 2003 (5 pages);
- ☒ Petition of Extension of Time for two months (1 page);
- ☒ Check No.16975 in the amount of \$205.00; and
- ☒ Return Postcard.

Although the Applicants believe that no fees are due, the Commissioner is hereby authorized to charge any fees that may be due to Deposit Account No. 50-0311 (Ref. No. 26448-510 CON). If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Respectfully submitted,

Matthew Pano Reg. No. 59,572

Ivor R. Elrifi, Reg. No. 39,529
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Dated: August 25, 2003